

FAXED
10/10/03

Docket No. 0103-0035 (ZM0476)
Customer No. 34086
U.S. Serial No. N/A
Filed on N/A

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: Positioner and Method for a Femoral Hip Implant, the specification of which ☒ is attached and/or ☐ was filed on _____ as United States Application Serial No. _____ or PCT International Application No. _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR '1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate or §365(a) of any PCT international application(s) designating at least one country other than the United States, listed below and have also identified below, any foreign application(s) for patent or inventor's certificate, or any PCT International application(s) having a filing date before that of the application(s) of which priority is claimed:

Country	Application Number	Date of Filing	Priority Claimed Under 35 U.S.C. 119	
			<input type="checkbox"/> YES	<input type="checkbox"/> NO
			<input type="checkbox"/> YES	<input type="checkbox"/> NO

I hereby claim the benefit under 35 U.S.C. '119(e) of any United States provisional application(s) listed below:

Application Number	Date of Filing


I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) or §365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application(s) and the national or PCT International filing date of this application:

Application Number	Date of Filing	Status (Patented, Pending, Abandoned)

I hereby appoint the following attorneys and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Cary R. Reeves, Reg. No. 35,334; Todd A. Dawson, Reg. No. 33,165; Jacques R. Wilson, Reg. No. 48,038; Margaret L. Geringer, Reg. No. 29,795; and Jonathan Feuchtwang, Reg. No. 41,017. Please address all correspondence to:

Customer No. 34086
Cary R. Reeves, Esq.
P.O. Box 1268
Aledo, Texas 76008
Telephone No. 817-594-5994

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full Name of First Inventor Donald W. Howle	Inventor's Signature 	Date 5 October 2003
Residence Tennyson, SA, Australia	Post Office Address 87 Sea View Road, Tennyson, SA 5022, Australia	Citizenship Australia

Full Name of Second Inventor David M. Blakemore	Inventor's Signature	Date
Residence Warsaw, IN	Post Office Address 2469 W. Wildwood Trl, Warsaw, IN 46580	Citizenship USA

Listing of Inventors Continued on Page 2 hereof. [x] Yes [] No

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List of Inventors Continued – Page 2 of 2

Full Name of Third Inventor Stephen H. Hoag		Inventor's Signature	Date
Residence Warsaw, IN	Post Office Address 52 EMS Ln, C29A, Warsaw, IN 46582		Citizenship USA

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Cary R. Reeves, Esq.
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Aledo, Texas 76008
Telephone No. 817-594-5994

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Full Name of First Inventor Donald W. Howie	Inventor's Signature	Date
Residence Tennyson, SA, Australia	Post Office Address 87 Sea View Road, Tennyson, SA 5022, Australia	Citizenship Australia

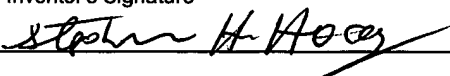
Full Name of Second Inventor David M. Blakemore	Inventor's Signature <i>David M. Blakemore</i>	Date 9-13-03
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Listing of Inventors Continued on Page 2 hereof. [x] Yes [] No

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